

ones, where they only have to pay 10,000 of up front money, and then the remaining 15,000 is split over a 25-75 cost share. What we're doing here is saying, okay, we'll pay 5,000 up front, they still have the remaining 10,000 obligation, but that will be split up on a 25-75 split as the remediation goes along. To answer Senator Warner's question that he asked me earlier about the latter section of the amendment that deals with Section 76-705, that deals with, obviously, if the fund is insufficient to cover the damages that might be...might be placed upon the landowner, property owner, whatever, by the department, as they do their investigative work, the...hopefully the fund will be large enough where it will cover the expenses. But, on the other hand, if it is not, then they follow the procedure that is similar to other procedures where they go through the small claims, or miscellaneous claims, and the exposure is then made by the board over there, ultimately it comes here and we have to approve or disapprove, and that comes under the General Fund, Senator Warner, as you know. So there is exposure, I guess, one could argue that there is a slight chance of an exposure to the General Fund, if this fund is not sufficient to cover the damages that the department may cause while they're doing their investigative work. The case that Senator Schmit and Senator Morrissey bring up is a very difficult one, and it is very difficult to shape public policy around the worst case scenario. This is about as bad a case as we probably will have in the state. But, nonetheless, it points out some of the inaccuracies of the bill, or the fact that we haven't covered every single problem that could arise from, in this case, an older woman whose inherited, basically, this station. And I don't know how we attack that problem. That's really not what my amendment does. But I would like at least to bring the bill back and adopt this amendment and see where the body stands at that point. But the more you lower the threshold of those who have the ability, or don't have the ability to pay, the more you expose the fund to being used up, and the more you also expose the question whether EPA will say the exposure is so great that we're actually going to see the fund not approved. And that's a big concern I have. I don't like the idea of being put in a position where I'm supposedly not supporting the small operator. The truth is I want to help them just as much as I would like to help anybody. But we also have to take a look at that risk exposure that we have to the fund. And as we increase the risks of exposure to the fund, do we not jeopardize the whole fund from disapproval by the EPA? And that's the concern I guess I have. And would like to see the body adopt these